Secrets. II-27—100,000—21-8-48.

Development (1951) Department.

No. SERIES.

G.O. No. 4317.

Dated 28—9—1951.

[Despatch Abstract.]

Acts and Rules — The Madras Factories Rules 1950 — Certain draft amendments published.

GOVERNMENT OF MADRAS

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ABSTRACT

ACTS AND RULES-The Madras Factories Rules 1950-Certain Drafts amendments-Published.

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DEVELOPMENT DEPARTMENT

G.O.Ms.No.4317 Dated 28th September,1951

Read the following:

G.O.Ms.No.1041 Development dated 15.3.1950 (As amended.)
From the Chief Inspector of Factories, No.B.1. 5281/50, dated 30.8.51.

ORDER:

The appended notification will be published in the Fort St. George Gazette in English and in the language of the State. The Senior Translator to Government is requested to supply the Superintendent, Government Press, with the requisite translations of the notification.

(By order of etc., etc.)

J.M.Lobo Prabhu,
Secretary to Government

To the Superintendent, Government Press for publication of the notification.
" the Senior Translator to Government, Madras.
" the Chief Inspector of Factories, Madras.
" the Commissioner of police, Madras.
Copy to all Collectors.
" to all Departments of Secretariat.
" to all Commissioners of Municipalities, through chairmen.
" to all District Panchayat Officers through Inspector of Municipal Councils and Local Boards.
" the Director of Public Health, Madras.
" the Transport Commissioner, Madras
" the Inspector-General of Prisons,Madras.
" the Director of Industries and Commerce, Madras.
" the Director of Agriculture, Madras.
" the Board of Revenue, Madras.
" the Director, Cinchona Department, Ootacamund.
" the Chief Engineers through Public Works Department.
" the Accountant-General, Madras.
" the Commissioner, Corporation of Madras, through Mayor.
" the Government of India, Ministry of Labour, New Delhi.
" the Chief Commissioner of Coorg, Mercara.
" the Deputy Financial Adviser (Factories), Government of India, Ministry of Finance, 6, Esplanade East, Calcutta.

/true copy/

p.t.o.

APPENDIX
NOTIFICATION

The following draft of certain amendments to the Madras Factories Rules, 1950, published at pages 103 to 178 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 25th April 1950, as subsequently amended, which it is proposed to make in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act LXIII of 1948), is hereby published for general information.

Notice is hereby given that the draft amendments will be taken into consideration on or after the 1st February 1952, and that, any objection or suggestion which may be received from any person with respect thereto before that date will be considered by the Government of Madras. Objections and suggestions should be addressed to the Secretary to the Government of Madras in the Development Department through the Commissioner of Labour and Chief Inspector of Factories, Madras.

Draft Amendments.

In the said rules--

(1) rule 4 shall renumbered as sub-rule (1) of that rule and after the rule as so renumbered, the following sub-rule shall be inserted, namely:--

"(2) The occupier of every factory which normally works for a period of less than six months in a calender year shall submit to the Chief Inspector on application in the prescribed Form No.2 for the registration of the factory and grant of a licence. The application shall be accompanied by the notice of the occupation in Form No.3 in duplicate, prescribed under Section 7, at least fiftten days before a manufacturing process is carried on in the factory";

(2) for rule 5, the following rule shall be substituted, namely:--

"5. Grant of licence--(1)(a) A licence for a factory shall be granted subject to such conditions as may be imposed by the Chief Inspector in Form No.4 prescribed for the purposes and on payment of the fees specified in the schedule hereto.

(b) The Chief Inspector may refuse to register s premise as a factory or to grant licence to a factory without assigning reasons for the same.

(c) The Chief Inspector may suspend or cancel a licence granted to a factory under the Act, if he considers that all or any of the provisions of the Act and the rules made thereunder are not complied with by the occupier of the factory.

(d) No manufacturing process shall be carried on in any factory without a licence granted by the Chief Inspector under the sub-rule.

(2) Every licence granted or renewed under this chapter shall remain in force upto the 31st December of the year for which the licence is granted or renewed.

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SCHEDULE

Quantity of h.p installed (maximum h.p.)	Maximum number of persons to be employed on any day during the year						
	20	50	100	250	500	750	750 Above
	Rs	Rs	Rs	Rs	Rs	Rs	Rs
Nil	10	25	50	125	250	375	500
10	25	50	60	150	300	450	600
50	50	75	100	250	500	750	1000
100	100	125	150	375	750	1125	1500
Above 100	150	200	250	500	1000	1500	2000

(3) For sub-rule (3) of rule 6, the following sub-rule shall be substituted, namely:--

"(3) A licensee who desires to have his licence amended shall submit it to the Chief Inspector with an application stating the nature of the amendment and reasons therefor at least fifteen days prior to the date on which he desires to increase the amount of horse power or the number of employees specified in the licence";

(4) in rule 7, the following sub-rule shall be inserted, namely:--

"(4). The occupier of every factory which normally works for a period of less than six months in a calendar year and which is licensed under rule 5 shall submit to the Chief Inspector an application in the prescribed Form No.2 for the renewal of the licence. The application for the renewal of a licence shall be accompanied by the notice of occupation in the prescribed Form No.3, in duplicate and shall be made not less than fifteen days before a manufacturing process is again carried on in the factory";

(5) after rule 12, the following rule shall be inserted, namely:--

"12-A. (1) The plans approved by the Chief Inspector under rule 3 and the licence granted for a factory under rule 5 shall be readily available in the factory for inspection by the Inspectors and Additional Inspectors appointed under section 8 of the Act.

(2) The plans and lay-outs of factory building sent to the Chief Inspector for approval under rule 3 shall be prepared by a persons not below the rank of a draughtsman possessing a certificate recognised by the Government in this regard".

(3) After the date of the commencement of the Act no manufacturing process shall be carried on in any factory constructed or extended or taken into use as a factory or part of a factory until a certificate of stability in respect of the buildings in the form below has been sent by the occupier or manager of the factory to the Inspector.

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FORM OF CERTIFICATE OF STABILITY

1. Name of the Factory
2. Village, town and district in which the factory is situated.
3. Full postal address of the factory.
4. Name of the occupier of the factory
5. Nature of manufacturing process to be carried on in the factory
6. Number of floors on which workers will be employed.

I certify that I have inspected the building in which .... .is housed and examined the various parts including the foundations as shown in the completed plans approved by the Chief Inspector in his letter No.. . . . . dated . . . . . .with special reference to the machinery, plant etc. that have been installed. I am of opinion that the building has been contracted/extended in accordance with the plans approved by the Chief Inspector in his letter No.....dated.....that it is structurally sound and that its stability will not be endangered by its use as a factory for the manufacture of-..... for which the machinery, plant, etc. installed are intended.

(Signature)
Name, Designation and qualification.

(4) the certificate required in sub-rule (3) should be signed by any one of the following categories of persons, namely:--

(i) A member or Associate member of the Institute of Civil Engineers; or

(ii) A member of the Institute of Structural Engineers; or

(iii) A full member or Associate member of the Institute of Engineers (India).

(iv) A Gazetted officer or a retired Gazetted officer of the Public Works Department; or

(v) An engineer not below the rank of an Assistant Engineer in Local Fund Service";

(6) rule 63 shall be renumbered as sub-rule (1) of that rule and after the rule as so renumbered, the following sub-rule shall be inserted, namely:--

"Persons who are in charge of first-aid boxes and cupboards should be persons who possess the certificate granted by the St. John's Ambulance Association for rendering first-aid";

(7) in rule 78-A, the following sub-rule shall be inserted,

"(3) Every worker who is required to work in another factory on the same day should carry with him a card in which the following particulars should be entered by the manager of the first factory:--

(1) His normal periods of work as in the notice of periods of work, for the day.

(2) The period or periods he has worked in the first factory for the day.

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The Manager of the second factory in which he is to work for the rest of the day should enter in the card the period or periods he has worked for the day in his factory. The managers of both the factories in which the worker has worked on the same day should send to the Inspector an extract of the card mentioned above not later than three days from the date on which the worker has so worked in the two factories on the same day".

(8) for clause (b) of rule 81, the following clause shall be substituted, namely:--

" Any other person who, in the opinion of the Chief Inspector, holds a confidential position in the factory and is declared so in writing by him, on application by the manager of the factory under such conditions as may be imposed by the Chief Inspector";

(9) for clause (b) of rule 82, the following clause shall be substituted, namely:--

"any other person who in the opinion of the Chief Inspector holds a confidential position in the factory and is declared so in writing by him on application by the manager of the factory under such conditions as may be imposed by the Chief Inspector of Factories";

(10) in the Schedule to rule 84, to the entries against the item "Section 64(2)(b) and 64(3), the following entries shall be added namely:--

(3)	(4)
Clerks engaged in the preparation of pay rolls	Sections 51 54 and 56"

(11) for Form No.2 prescribed under rule 4, the following Form shall be substituted, namely:--

"Form No.2.

(Prescribed under rule 4)

Application for registration and grant or renewal of licence.

--

1. Name of the factory and its address.
2. Name of the occupier of the factory.
3. His full postal address.
4. Maximum number of persons proposed to be employed on any one day during the year.
5. Maximum amount of power, (horse-power) proposed to be installed.
6. In the case of a factory constructd or extended after the date of the commencement of the Act--

   (a) Reference number and date of approval of plans by the State Government/Chief Inspector.

   (b) Reference number and date of approval of the arrangements, if any, made for the disposal of trade wastes and effluents and the name of the authority granting such approval.

7. Amount of fee Rs.....(Rupees ..... paid in . . . . . treasury on . . . . . vide chalan No. . . . . enclosed).

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8. Number ~~of~~ and date of previous year's licence.

Signature of occupier.
Date:

12) in form No.3 prescribed under rule 12, for item 6 the following shall be substituted;--

"6. Nature and amount of power installed or to be installed"

~~The~~ The words "used" occurring in item 2 of the note to form No.3, shall be substituted by the word "installed";

(13) In Form No.4 prescribed under rule 5, the line "DATE OF RENEWAL-Date of Expiry-Signature of licensing authority" shall be ~~xx~~ omitted;

(14) for Form No.25 prescribed under rule 103, the following Form shall be substituted namely:--

"FORM NO.25
(Prescribed under rule 103)

Muster Roll.

Name of factory. Place

District

1.	2	3	4	5	6	7
S.No.	Name	Father's name	Designation	Group	Relay	Shift No.

8	9					10
Period of work	For the period ending					Remarks
	1	2	3	4	5	

";

(15) for Form No.25(A) prescribed under rule 103-A, the following Form shall be substituted, namely:--

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"Form No.25(A)

Prescribed under rule 103(a)

Muster Roll of Adult workers.

Name of factory Hours of work Place Distridt

Serial No.	Name of worker	Group	Relay	Shift No.	Periods of work	Dates	Monday			Tuesday			Wednesday			Thursday			Friday			Saturday			Sunday			Total weekly hours	Usual weekly hours.	Normal daily wages.	Overtime pay paid under sub-section (1) of Sec.59.	Total amount paid	Remarks.
							First period	Second period	Third period	First period	Second period	Third period	First period	Second period	Third period	First period	Second period	Third period	First period	Second period	Third period	First period	Second period	Third period	First period	Second period	Third period						
1	2	3	4	5	6		7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33

J.M. Lobo Prabhu,
Secretary to Government

/TrueCopy/

Superintendent
Madras Record Office

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